

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of  
Thursday, September 2, 2004

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Bridge and Commissioner Garvin.

**Minutes**

The Commission approved the minutes of the Open Meeting of Tuesday, August 10, 2004.

**05-CE-134 - Application of Wisconsin Power and Light Company, Madison Gas and Electric Company and Wisconsin Public Service Corporation for a Certificate of Authority to Replace the Boiler Reheat Front Pendants, Finishing Reheat Section and Reheat Outlet Header on Unit 2 at the Columbia Generating Station, Columbia County**

The Commission approved a Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**05-GI-112 - Investigation on the Commission's Own Motion Into the Need for Changes in Tariff Terms and Conditions Concerning Transportation Service for Madison Gas and Electric Company, Wisconsin Power and Light Company, Wisconsin Gas Company, Wisconsin Electric Power Company, and Wisconsin Public Service Corporation**

The Commission approved a Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**05-UR-101 - Joint Application of Wisconsin Electric Power Company and Wisconsin Gas Company, both d/b/a WE Energies, for Wisconsin Electric Power Company to Increase Its Electric and Steam Rates and for Wisconsin Gas Company to Increase Its Natural Gas Rates**

The Commission approved a Notice of Investigation and Prehearing Conference and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**137-CE-124 - Application of American Transmission Company, LLC, as an Electric Public Utility, for Authority to Upgrade, Operate, and Maintain Electric Transmission Facilities for the Plains-Amberg-Stiles-West Marinette Project, Oconto and Marinette Counties**

The Commission approved a Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**137-CE-128 - Application of American Transmission Company for Authority to Rebuild and Convert the Existing 69 kV Transmission Line to 138 kV Operation Between the Turtle and West Darien Substations, Located in Rock and Walworth Counties**

The Commission approved a Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**137-CE-129 - Application of American Transmission Company, LLC, as an Electric Public Utility, for Authority to Install, Operate, and Maintain Electric Transmission Facilities to Interconnect the New Blue Sky and Green Field Wind Generation Facilities, to be Located in Fond du Lac County, Wisconsin**

The Commission approved a Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**2800-ER-102 - Application of the City of Kaukauna Electric Utility, Outagamie County, as an Electric Public Utility, for Authority to Increase Electric Rates**

The Commission approved a Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**3005-TI-100 - Application of Sage Telecom, Inc., for Designation as an Eligible Telecommunications Carrier in Wisconsin**

The Commission approved a Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**720-WR-103 - Application of the Town of Bristol Water Utility for Authority to Increase Water Rates**

The Commission approved a Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**4600-WR-101 - Application of Pepin Municipal Water Utility to Increase Water Rates**

The Commission approved a Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**4900-WI-100 - Application of Racine Water Works Commission for Construction Approval of a Public Water Main in the State Trunk Highway 20 Right-of-Way, Located in the Village of Sturtevant**

The Commission approved a Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**6190-WR-101 - Application of the Washburn Water and Sewer Utility for Authority to Increase Water Rates**

The Commission approved a Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**05-AE-130 - Application of American Transmission Company, LLC, and Wisconsin Public Service Corporation for Approval of an Operating and Maintenance Agreement as Affiliated Interest Arrangement**

The Commission approved the Final Decision in this case and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**05-AE-131 - Application for Approval of an Asset Acquisition Agreement Between American Transmission Company, LLC, and Wisconsin Public Service Corporation Related to the Grandfather Falls and Tomahawk Substations**

The Commission approved the Final Decision in this case and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**05-DT-106 - Biennial Review of Depreciation Rates and Ranges for Classes of Capital of Telecommunications Utilities Required by Wis. Stat. § 196.09(9)(a)**

The Commission approved the issuance of a Notice of Investigation requesting comments.

The Commission directed the notice be signed by the Secretary to the Commission on behalf of the Commission.

**05-GF-135 - Annual Certification of Eligible Telecommunication Carriers (ETCs) for Eligibility to Receive Federal High-Cost Fund Support (2004)**

The Commission issued a letter to the Federal Communications Commission and the Universal Service Administrative Company in compliance with 47 C.F.R. §54.314 certifying that it received affidavits from the listed carriers stating they are using Federal High-Cost Support in

compliance with § 254(e) of the Federal Telecommunications Act in order for them to remain eligible to receive such support.

**1910-TI-102 - Application of CenturyTel of Fairwater-Brandon-Alto, LLC, for Approval of an Alternative Regulation Plan**

**2050-TI-101 - Application of CenturyTel of Forestville, LLC, for Approval of an Alternative Regulation Plan**

**3070-TI-101 - Application of CenturyTel of Larsen-Readfield, LLC, for Approval of an Alternative Regulation Plan**

**4590-TI-101 - Application of CenturyTel of Southern Wisconsin, LLC, for Approval of an Alternative Regulation Plan**

**5530-TI-101 - Application of CenturyTel of Northwest Wisconsin, LLC, for Approval of an Alternative Regulation Plan**

**6040-TI-101 - Application of CenturyTel of Northern Wisconsin, LLC, for Approval of an Alternative Regulation Plan**

**2930-TI-102 - Application of CenturyTel of Wisconsin, LLC, for Approval of an Alternative Regulation Plan**

**4260-TI-102 - Application of CenturyTel of the Midwest-Wisconsin for Approval of an Alternative Regulation Plan**

**Procedural Issues on Requests to Reopen, Requests to Waive Hearing, and Requests for Intervention**

The Commission approved the request by CenturyTel of Fairwater-Brandon-Alto, LLC; CenturyTel of Forestville, LLC; CenturyTel of Larsen-Readfield, LLC; CenturyTel of Southern Wisconsin, LLC; CenturyTel of Northwest Wisconsin, LLC; and CenturyTel of Northern Wisconsin, LLC; to reopen alternative regulation plan dockets and approved changing the termination dates in those plans. All applications for new plans will be handled under new docket numbers.

The Commission did not waive the hearing requirement for any of the applicants and determined to meet the hearing requirement through comments and an in-person technical hearing.

The Commission granted requests for intervention by AT&T Communications of Wisconsin and TCG Milwaukee, Inc.

The Commission directed the Telecommunications Division to draft an order consistent with this decision.

**5846-TI-100 - Petition by Customers for the Elimination of Telephone USA of Wisconsin Per-Call Charges That Apply for Calling for Extended Area Service From the Birchwood Exchange to the Rice Lake Exchange**

The Commission dismissed the petition and directed staff to draft an order to inform the petitioners of this decision.

**7103-74683 - Appeal by Paul Brey of Aantek, Inc., of a Staff Determination Regarding Contract Termination**

The Commission chose not to open a docket concerning the complaint of Aantek, Inc., against PowerCom, Inc., and directed staff to draft an order to inform Aantek of its decision.

**9300-NJ-78896 - Complaint of Brookfield Highlands Apartments Limited Partnerships Against the Town of Brookfield**

The Commission will open a docket in the matter of the Brookfield Highlands Apartments Limited Partnership's complaint against the town of Brookfield concerning storm water charges.

The Commission directed the Division of Water, Compliance, and Consumer Affairs to draft an order consistent with this decision.

**05-GF-115 - Certification and Registration of Renewable Energy facilities Pursuant to Wis. Admin. Code § PSC 118.05**

**Approval of Expenses and Cost Allocation for Renewable Resource Credit Administrator for FY 2005**

Pursuant to Wis. Admin. Code § PSC 118.06(4), the Commission approved the expenses submitted by Clean Power Markets for administering the Renewable Resource Credit Program. The Commission authorized staff to bill all Wisconsin Electric Providers using the allocation method approved on June 26, 2003.

The Commission directed the Gas and Energy Division to draft an order consistent with this decision.

**6680-GP-107 - Wisconsin Power and Light Company's 2004 Annual Gas Supply Plan**

The Commission approved the request of Wisconsin Power and Light Company for approval of its Risk Management Plan, to hedge up to 40 percent of the expected system customer demand for the 2004-2005 winter season and to pass through 100 percent of any derivative savings, net of cost, through the gas cost recovery mechanism.

The Commission directed the Gas and Energy Division to draft an order consistent with this decision.

**6690-UR-115 - Application of Wisconsin Public Service Corporation for Authority to Adjust Rates**

This item was laid over at the request of the Commission.

**9403 - 2002-2003 Report to the Legislature on the Operations of Alliant Energy Corporation**

The Commission approved the Report to the Legislature on the Operations of Alliant Energy Corporation.

The Commission directed the Gas and Energy Division to draft the letters for transmittal of the report to the Legislature.

**6680-UR-113 - Application of the Wisconsin Power and Light Company, as an Electric, Water, and Natural Gas Public Utility, to Change Electric, Water, and Natural Gas Rates**

This item was laid over at the request of the Commission.

**U.S. District Court, for the Western District of Wisconsin, Case Number 03-C-430-C - Wisconsin Bell, Inc., d/b/a SBC Wisconsin v. Burneatta Bridge, Ave M. Bie and Robert M. Garvin, in Their Capacity as Commissioners of the Public Service Commission of Wisconsin and Not as Individuals, and AT&T Communications of Wisconsin, L.P., TDS Metrocom, LLC and Worldcom, Inc., d/b/a MCI**

The Commission determined it would reopen the 6720-TI-161 March 22, 2002, Final Decision and the July 9, 2003, Compliance Order on the Category 3 issues and vacate the Administrator's May 27, 2004, Final Decision on the Category 3 issues.

The Commission directed the Telecommunications Division to draft a notice to be signed by the Secretary to the Commission on behalf of the Commission.

**CLOSED SESSION - The Commission may recess the open meeting, go into closed session under Wis. Stat. § 19.85(1)(e), (f), and (g), and reconvene the open meeting pursuant to Wis. Stat. § 19.85(2).**

Commissioner Garvin moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss litigation matters with legal counsel. Chairperson Bridge seconded the motion. The motion was carried. Voting in the affirmative were Chairperson Bridge and Commissioner Garvin.

See item U.S. District Court, for the Western District of Wisconsin, Case Number 03-C-430-C above.

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Lynda L. Dorr  
Secretary to the Commission